

Executive Summary – Enforcement Matter – Case No. 50128

WTG Jameson, LP

RN101246478

Docket No. 2015-0287-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Jameson Gas Plant, 1000 Gas Plant Road, Silver, Coke County

Type of Operation:

Natural gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 26, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$10,720

Amount Deferred for Expedited Settlement: \$2,144

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$8,576

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 28, 2014

Date(s) of NOE(s): January 28, 2015 and February 4, 2015

Executive Summary – Enforcement Matter – Case No. 50128
WTG Jameson, LP
RN101246478
Docket No. 2015-0287-AIR-E

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,208.83 pounds ("lbs") of carbon monoxide ("CO"), 370.15 lbs of nitrogen oxides ("NOx"), and 110.76 lbs of volatile organic compounds ("VOC") from the Low Pressure Flare, Emissions Point Number ("EPN") FL-382, and 3,221.07 lbs of CO, 375.67 lbs of NOx, and 146.76 lbs of VOC from the High Pressure Flare, EPN FL-381, during an emissions event (Incident No. 203160) that occurred on September 3, 2014 and lasted 24 hours. This event occurred when residue gas was flared due to high pressure from downstream customers in order to prevent compressors from shutting down on high discharge pressure. Since the emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. 0865, Special Terms and Conditions ("STC") No. 9, and Standard Permit Registration No. 53757].
2. Failed to submit an initial notification for Incident No. 203160 within 24 hours of the discovery of the emissions event. Specifically, the event was discovered on September 3, 2014 at 12:00 a.m. and the initial notification was not submitted until September 4, 2014 at 2:25 p.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. 0865, STC No. 2F].
3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,614.49 lbs of CO, 300.84 lbs of NOx, and 83.68 lbs of VOC from the Low Pressure Flare, EPN FL-382, and 2,626.73 lbs of CO, 306.36 lbs of NOx, and 119.68 lbs of VOC from the High Pressure Flare, EPN FL-381, during an emissions event (Incident No. 203265) that occurred on September 6, 2014 and lasted 24 hours. This event occurred when residue gas was flared due to high pressure from downstream customers in order to prevent compressors from shutting down on high discharge pressure. Since the emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 0865, STC No. 9, and Standard Permit Registration No. 53757].
4. Failed to submit an initial notification for Incident No. 203265 within 24 hours of the discovery of the emissions event. Specifically, the event was discovered on September 6, 2014 at 12:00 a.m. and the initial notification was not submitted until September 7, 2014 at 12:38 p.m. [30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. 0865, STC No. 2F].

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Docket No. 2015-0287-AIR-E

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the follow corrective measures:

a. On March 11, 2015, installed ultrasonic flow meters at a new vent location to ensure that the volume of residue gas being flared is constantly totaled and reading in the Operator's Digital Control System in order to prevent the recurrence of emissions events due to the same cause as the emissions events that occurred on September 3, 2014 (Incident No. 203160) and September 6, 2014 (Incident No. 203265); and

b. On March 30, 2015, programmed new alarms to be based on each unique flaring event and alert appropriate personnel via email of a potentially reportable emissions event in order to ensure the timely submittal of emissions event reports.

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Farhaud Abbaszadeh, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-0779; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Michael Davis, Executive Vice President, WTG Jameson, LP, 211 North Colorado Street, Midland, Texas

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

DATES	Assigned	9-Feb-2015	Screening	19-Feb-2015	EPA Due	
	PCW	1-May-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	WTG Jameson, LP		
Reg. Ent. Ref. No.	RN101246478		
Facility/Site Region	8-San Angelo	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	50128	No. of Violations	4
Docket No.	2015-0287-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Farhaud Abbaszadeh
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$8,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	44.0%	Enhancement	Subtotals 2, 3, & 7	\$3,520
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Notes: Enhancement for one NOV with same/similar violations and two orders with a denial of liability. Reduction for one Notice of Intent to conduct an audit.

Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$800
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts: \$2,209
Estimated Cost of Compliance: \$61,200
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$10,720
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OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage.

0.0%	Adjustment	\$0
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Notes:

Final Penalty Amount	\$10,720
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STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty	\$10,720
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DEFERRAL

20.0%	Reduction	Adjustment	-\$2,144
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$8,576

Screening Date 19-Feb-2015

Docket No. 2015-0287-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 50128

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 44%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one NOV with same/similar violations and two orders with a denial of liability.
Reduction for one Notice of Intent to conduct an audit.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 44%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 44%

Screening Date 19-Feb-2015

Docket No. 2015-0287-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 50128

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), Tex. Health & Safety Code § 382.085(b), Federal Operating Permit ("FOP") No. 0865, Special Terms and Conditions ("STC") No. 9, and Standard Permit Registration No. 53757

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,208.83 pounds ("lbs") of carbon monoxide ("CO"), 370.15 lbs of nitrogen oxides ("NOx"), and 110.76 lbs of volatile organic compounds ("VOC") from the Low Pressure Flare, Emissions Point Number ("EPN") FL-382, and 3,221.07 lbs of CO, 375.67 lbs of NOx, and 146.76 lbs of VOC from the High Pressure Flare, EPN FL-381, during an emissions event (Incident No. 203160) that occurred on September 3, 2014 and lasted 24 hours. This event occurred when residue gas was flared due to high pressure from downstream customers in order to prevent compressors from shutting down on high discharge pressure. Since the emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$375

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions on March 11, 2015, after the January 28, 2015 Notice of Enforcement ("NOE").

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2,175

Violation Final Penalty Total \$5,025

This violation Final Assessed Penalty (adjusted for limits) \$5,025

Economic Benefit Worksheet

Respondent: WTG Jameson, LP
Case ID No.: 50128
Reg. Ent. Reference No.: RN101246478
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment	\$60,000	3-Sep-2014	11-Mar-2015	0.52	\$104	\$2,071	\$2,175
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to install ultrasonic flow meters at a new vent location to ensure that the volume of residue gas being flared is constantly totaled and reading in the Operator's Digital Control System in order to prevent the recurrence of emissions events due to the same cause as the emissions events that occurred on September 3, 2014 (Incident No. 203160) and September 6, 2014 (Incident No. 203265). The Date Required is the date the first emissions event occurred. The Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$60,000

TOTAL

\$2,175

Screening Date 19-Feb-2015

Docket No. 2015-0287-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 50128

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O865, STC No. 2F

Violation Description

Failed to submit an initial notification for Incident No. 203160 within 24 hours of the discovery of the emissions event. Specifically, the event was discovered on September 3, 2014 at 12:00 a.m. and the initial notification was not submitted until September 4, 2014 at 2:25 p.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$25

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions on March 30, 2015, after the January 28, 2015 NOE.

Violation Subtotal \$225

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$34

Violation Final Penalty Total \$335

This violation Final Assessed Penalty (adjusted for limits) \$335

Economic Benefit Worksheet

Respondent WTG Jameson, LP
Case ID No. 50128
Reg. Ent. Reference No. RN101246478
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,200	4-Sep-2014	30-Mar-2015	0.57	\$34	n/a	\$34

Notes for DELAYED costs

Estimated cost to program new alarms to be based on each unique flaring event and alert appropriate personnel via email of a potentially reportable emissions event in order to ensure the timely submittal of emissions event reports. The Date Required is the date the first initial notification was due. The Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,200

TOTAL

\$34

Screening Date 19-Feb-2015

Docket No. 2015-0287-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 50128

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), Tex. Health & Safety Code § 382.085(b), FOP No. 0865, STC No. 9, and Standard Permit Registration No. 53757

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 2,614.49 lbs of CO, 300.84 lbs of NOx, and 83.68 lbs of VOC from the Low Pressure Flare, EPN FL-382, and 2,626.73 lbs of CO, 306.36 lbs of NOx, and 119.68 lbs of VOC from the High Pressure Flare, EPN FL-381, during an emissions event (Incident No. 203265) that occurred on September 6, 2014 and lasted 24 hours. This event occurred when residue gas was flared due to high pressure from downstream customers in order to prevent compressors from shutting down on high discharge pressure. Since the emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,750

One quarterly event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$375

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions on March 11, 2015, after the February 4, 2015 NOE.

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$5,025

This violation Final Assessed Penalty (adjusted for limits) \$5,025

Economic Benefit Worksheet

Respondent WTG Jameson, LP
 Case ID No. 50128
 Reg. Ent. Reference No. RN101246478
 Media Air
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation No. 1.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 19-Feb-2015

Docket No. 2015-0287-AIR-E

PCW

Respondent WTG Jameson, LP

Policy Revision 4 (April 2014)

Case ID No. 50128

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101246478

Media [Statute] Air

Enf. Coordinator Farhaud Abbaszadeh

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 101.201(a)(1)(B) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O865, STC No. 2F

Violation Description

Failed to submit an initial notification for Incident No. 203265 within 24 hours of the discovery of the emissions event. Specifically, the event was discovered on September 6, 2014 at 12:00 a.m. and the initial notification was not submitted until September 7, 2014 at 12:38 p.m.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$24,750

\$250

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended.

Good Faith Efforts to Comply

10.0%

Reduction \$25

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions on March 30, 2015, after the February 4, 2015 NOE.

Violation Subtotal \$225

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$335

This violation Final Assessed Penalty (adjusted for limits) \$335

Economic Benefit Worksheet

Respondent WTG Jameson, LP
 Case ID No. 50128
 Reg. Ent. Reference No. RN101246478
 Media Air
 Violation No. 4

Percent Interest 5.0
 Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
 Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

See Economic Benefit for Violation No. 2.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN602679813, RN101246478, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN602679813, WTG Jameson, LP

Classification: SATISFACTORY

Rating: 6.43

Regulated Entity: RN101246478, JAMESON GAS PLANT

Classification: SATISFACTORY

Rating: 17.04

Complexity Points: 17

Repeat Violator: NO

CH Group: 03 - Oil and Gas Extraction

Location: 1000 GAS PLANT ROAD SILVER, TEXAS 76945-3249, COKE COUNTY

TCEQ Region: REGION 08 - SAN ANGELO

ID Number(s):

AIR NEW SOURCE PERMITS PERMIT 9941
AIR NEW SOURCE PERMITS REGISTRATION 44641
AIR NEW SOURCE PERMITS ACCOUNT NUMBER CN0003A
AIR NEW SOURCE PERMITS AFS NUM 4808100001
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX372M1
AIR NEW SOURCE PERMITS REGISTRATION 53544
AIR NEW SOURCE PERMITS REGISTRATION 52490
AIR NEW SOURCE PERMITS REGISTRATION 53757
AIR NEW SOURCE PERMITS REGISTRATION 90828
AIR OPERATING PERMITS ACCOUNT NUMBER CN0003A
AIR EMISSIONS INVENTORY ACCOUNT NUMBER CN0003A

AIR NEW SOURCE PERMITS REGISTRATION 38792
AIR NEW SOURCE PERMITS REGISTRATION 48204
AIR NEW SOURCE PERMITS REGISTRATION 52491
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX687
AIR NEW SOURCE PERMITS REGISTRATION 53545
AIR NEW SOURCE PERMITS REGISTRATION 52489
AIR NEW SOURCE PERMITS REGISTRATION 52554
AIR NEW SOURCE PERMITS REGISTRATION 89323
AIR NEW SOURCE PERMITS REGISTRATION 124212
AIR OPERATING PERMITS PERMIT 865

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: February 09, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: February 09, 2010 to February 09, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Farhaud Abbaszadeh

Phone: (512) 239-0779

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 12/04/2010 ADMINORDER 2010-0826-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 5 PA
Description: Failed to submit an alternate sampling facility design for approval within 180 days after the permit was issued, as documented during an investigation conducted on April 9, 2010. Specifically, NSRP 55477 was issued on

November 6, 2003 and no sampling platform has been constructed for Unit 650 [Emission Point No. ("EPN") E-31-1] and Unit 651 (EPN E-31-2) nor has the Respondent submitted an alternate sampling facility design

- 2 Effective Date: 09/30/2013 ADMINORDER 2012-2691-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:GT&C & ST&C No. 2.F. OP
Description: Failed to report Incident Nos. 171853, 172109, and 170344 within 24 hours after discovery.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:53757 PERMIT
General Terns & Conditions & ST&C No. 9 OP
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:53757 PERMIT
GT&C and ST&C Nos. 9 OP
Description: Failed to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:53757 PERMIT
GT&C and ST&C No. 9 OP
Description: Failed to prevent unauthorized emissions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	August 18, 2010	(849228)
Item 2	August 10, 2012	(1023654)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	07/21/2014	(1172452)	CN602679813
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
		5C THSC Chapter 382 382.085(b)		
		9941 PERMIT		
	Description:	Failure to maintain a properly operating flare.		

F. Environmental audits:

Notice of Intent Date: 02/14/2014 (1156818)
No DOV Associated

G. Type of environmental management systems (EMSs):
N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
WTG JAMESON, LP
RN101246478

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2015-0287-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding WTG Jameson, LP ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a natural gas processing plant located at 1000 Gas Plant Road in Silver, Coke County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about February 2, 2015 and February 9, 2015.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Seven Hundred Twenty Dollars (\$10,720) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Five Hundred Seventy-Six Dollars (\$8,576) of the administrative penalty and Two Thousand One

Hundred Forty-Four Dollars (\$2,144) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On March 11, 2015, installed ultrasonic flow meters at a new vent location to ensure that the volume of residue gas being flared is constantly totaled and reading in the Operator's Digital Control System in order to prevent the recurrence of emissions events due to the same cause as the emissions events that occurred on September 3, 2014 (Incident No. 203160) and September 6, 2014 (Incident No. 203265); and
 - b. On March 30, 2015, programmed new alarms to be based on each unique flaring event and alert appropriate personnel via email of a potentially reportable emissions event in order to ensure the timely submittal of emissions event reports.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Federal Operating Permit ("FOP") No. O865, Special Terms and

Conditions ("STC") No. 9, and Standard Permit Registration No. 53757, as documented during a record review conducted on October 28, 2014. Specifically, the Respondent released 3,208.83 pounds ("lbs") of carbon monoxide ("CO"), 370.15 lbs of nitrogen oxides ("NOx"), and 110.76 lbs of volatile organic compounds ("VOC") from the Low Pressure Flare, Emissions Point Number ("EPN") FL-382, and 3,221.07 lbs of CO, 375.67 lbs of NOx, and 146.76 lbs of VOC from the High Pressure Flare, EPN FL-381, during an emissions event (Incident No. 203160) that occurred on September 3, 2014 and lasted 24 hours. This event occurred when residue gas was flared due to high pressure from downstream customers in order to prevent compressors from shutting down on high discharge pressure. Since the emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

2. Failed to submit an initial notification for Incident No. 203160 within 24 hours of the discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. 0865, STC No. 2F, as documented during a record review conducted on October 28, 2014. Specifically, the event was discovered on September 3, 2014 at 12:00 a.m. and the initial notification was not submitted until September 4, 2014 at 2:25 p.m.
3. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), FOP No. 0865, STC No. 9, and Standard Permit Registration No. 53757, as documented during a record review conducted on October 28, 2014. Specifically, the Respondent released 2,614.49 lbs of CO, 300.84 lbs of NOx, and 83.68 lbs of VOC from the Low Pressure Flare, EPN FL-382, and 2,626.73 lbs of CO, 306.36 lbs of NOx, and 119.68 lbs of VOC from the High Pressure Flare, EPN FL-381, during an emissions event (Incident No. 203265) that occurred on September 6, 2014 and lasted 24 hours. This event occurred when residue gas was flared due to high pressure from downstream customers in order to prevent compressors from shutting down on high discharge pressure. Since the emissions event was reported late, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
4. Failed to submit an initial notification for Incident No. 203265 within 24 hours of the discovery of the emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1)(B) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. 0865, STC No. 2F, as documented during a record review conducted on October 28, 2014. Specifically, the event was discovered on September 6, 2014 at 12:00 a.m. and the initial notification was not submitted until September 7, 2014 at 12:38 p.m.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty

and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WTG Jameson, LP, Docket No. 2015-0287-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pamela Martinez
For the Executive Director

9/11/15
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Michael Davis
Signature

5-27-15
Date

Michael Davis
Name (Printed or typed)
Authorized Representative of
WTG Jameson, LP

Executive Vice-President
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.